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THE DIRECTOR OF CENTRAL INTELLIGENCE
WASHINGTON, D. C. 20505

28 February 1975

Mr. William G. Miller
Staff Director
Select Committee to Study Governmental
Operations With Respect to Intelligence Activities
United States Senate
Washington, D.C. 20510

Dear Mr. Miller:

The attached document containing a draft of the
Legislative History of the Central Intelligence Agency
is provided for your use in the work of the Senate
Select Committee.

You will note that the Legislative History is
classified Secret. This is because it includes excerpts
from classified documents not under the control of CIA
and over which it has no jurisdiction. Cases in point
are the quotations beginning on page 75, classified by
the originator, and later excerpts from Congressional
testimony, also classified at the source. If desirable,
release from these classifications could be sought.

Sincerely,



STATINTL

Associate Deputy to the DCI
for the Intelligence Community

Attachment:
Draft Legislative History

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Orig - Mr. Miller *w/att*

1 - OLC *wo/att*

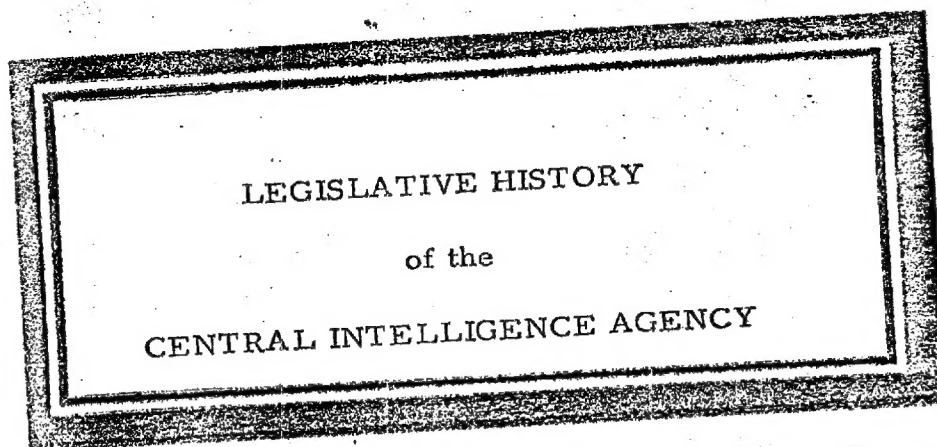
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(Senate Select Comm)

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news release from:
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FOR RELEASE UPON DELIVERY--1 P.M. EDT THURSDAY

February 27, 1975

Neither a Vendetta Nor a Whitewash

By Senator Frank Church

Chairman, Select Committee to
Study Governmental Operations
with Respect to Intelligence
Activities

Before the National Press Club

Neither a Vendetta Nor a Whitewash

by
Senator Frank Church

On January 27, when the Senate voted to establish the Select Committee on government intelligence activities, Majority Leader Mansfield outlined the balance that the Senate expects the Committee to maintain: "There can be no whitewash in this inquiry," he said, "nor is there room for a vendetta."

As Chairman of the Committee, I intend to follow these guidelines. I am determined there will be neither a whitewash nor a vendetta, but a judicious and responsible attempt to uncover the truth. This investigation begins only with questions. The answers will come in due course.

All the members of the Committee recognize that the United States must maintain an efficient intelligence system. Our government must keep itself fully and currently informed on developments abroad; it must also take those security measures necessary to counteract espionage within this country.

As for myself, not only do I recognize the value of legitimate intelligence-gathering operations, but I engaged in this work during World War II. As a young Army officer, I served in Military Intelligence in the CBI Theater. I know full well, from firsthand experience, the necessity in war of ascertaining the strength and disposition of enemy forces. I especially recognize the importance of discerning the enemy's intent.

But intelligence activities are equally essential in peacetime. Without an intelligence network, the United States would be left groping in a dangerous world.

Without our satellite surveillance system, the SALT agreements with the Soviet Union could never have been sealed. And hopes for future progress in arms control would quickly die.

Without an efficient day-to-day intelligence operation, our government could not possibly conduct an informed foreign policy.

Therefore, it will not be the Committee's purpose to undermine or dismantle the CIA -- or other intelligence agencies associated with it -- nor jeopardize their sources, nor endanger their agents, nor embarrass the United States with revelations which could injure our relations with foreign governments.

Rather, I would hope that the investigation might strengthen the legitimate functions of these agencies by more precisely delineating their respective jurisdictions through clarifying the gray areas of the law, by ending costly duplications of effort, and by terminating unnecessary operations.

The Committee is taking every possible precaution to insure both a secure and judicious investigation:

First, the inquiry will be muted and restrained. I do not intend to preside over a legislative carnival, an investigative sideshow or a television extravaganza.

That does not mean a backout on information. As much information as possible will be furnished as we move along. Our rule of thumb will be to hold public hearings whenever we can and closed hearings whenever we must.

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Second, the inquiry will follow the responsible example of the House Judiciary Committee in its recent impeachment investigation. The Senate's Select Committee has already patterned many of its rules after the House Committee's dignified and constructive examination of an equally serious subject.

Third, we will function in a bipartisan manner with a unified, rather than divided staff. The majority and minority members of the Committee voted unanimously that the staff -- though nominated from both sides -- will cooperate rather than collide. A unified staff is necessary if the Committee is to follow wherever the evidence may lead, without concern for the party label of the Administration in which excesses may have occurred.

Finally, the Committee will be staffed by individuals of good reputation and proven professional competence, skilled in investigative techniques and in the law. It will consist of individuals of unquestioned loyalty, who are also committed to the purposes the Committee seeks to serve.

However, I recognize that competence and loyalty are not enough. Caution is also necessary. So I propose to take every feasible precaution to prevent the facts, as they are assembled, from being prematurely revealed. Thus, any member of the staff who discloses unauthorized information will be fired on the spot. Every member of the staff is being given to understand, at the outset, these stringent security rules.

Some very serious charges, indeed, have been raised against the CIA, the FBI and other Federal agencies, charges that they have gone beyond the bounds of the law; that they have been used for improper political purposes, and that they have, at times, directed their techniques inward, not upon the enemy, but upon the American people.

So we will determine the extent of any such transgressions. If unlawful conduct has occurred, we will disclose it. From the findings, the Committee will recommend changes in the law to shield the American people against such misdeeds in the future. In like manner, the Committee may recommend reforms to eliminate wasteful duplication and to obtain a better accounting to the Congression of the actions and expenses of the intelligence-gathering community.

So, I am confident that this investigation is not only in the public interest, but that it is essential. This is an inquiry whose time is overdue. It has been a half a century since the Federal Bureau of Investigation came into being. It has been nearly 30 years since the CIA was created. Both agencies operate on the fulcrum of that uneasy balance between individual liberty and collective order. If that equality ever tips too far toward the former, the result is anarchy; if it tips too far toward the latter, the result is tyranny.

Consequently, our police and intelligence agencies function in the most delicate and dangerous of all realms: mandated to maintain order without impairing freedom. Yet these agencies have not been subjected during all these years to an examination half as thorough as that routinely accorded the often, non-secretive bureaucracies far removed from the frontiers of our freedom. It is unfortunately true that agencies which, on the face of it, should require the most scrutiny by the elected representatives of the people have received the least.

The recent allegations of misconduct are so numerous and so disquieting, that the time has surely ripened for a serious investigation. However, our very ignorance of those who mind our safety and our liberties -- the costs still undisclosed -- should have impelled this much-belated inquiry, even in the absence of any cause for alarm.

Indeed, this is not the opinion of the Senate alone, nor of the

House which has also created a committee to investigate these matters. Before either committee was established, the Ford Administration instigated an investigation of its own which it entrusted to the Vice President. Thus, both the Executive and Legislative Branches have felt it necessary to inquire into these serious charges. I must add, however, that the obligation is not one which can be well handled by the Administration. The Executive Branch cannot, with sufficient credibility, investigate itself. I would hope that the Rockefeller Commission, now engaged in a far more limited review, might complete its work soon and make its records available, as a starting point, for the more comprehensive Congressional investigations to come.

The task of reviewing the activities of the Executive agencies falls, properly, upon the Legislative Branch. The Constitution assigns the Congress that role.

Properly done, a Congressional inquiry into the activities of these agencies can result in a strengthening of our law-enforcement and intelligence systems. Properly done, the investigation can stiffen the law against future misdeeds.

If those who argue that there is nothing much amiss should prove correct, then the Committees will help to clear the air. Nothing could better serve to restore public confidence.

But if the charges are borne out by the facts unearthed, then reforms will have to be enacted before public confidence can be regained.

Either way, the investigation is imperative.

I understand the dismay of many citizens who are weary of Watergate and wonder if they can endure being pummeled once again by disclosures of wrong-doing in their government. These citizens would dearly prefer to believe that if the CIA or the FBI have erred, their mistakes were aberrations just as well ignored.

To those citizens, I say that I hope that our investigation bears out this optimistic view. Nothing would satisfy me more than to conclude, after a thorough inquiry, that the Federal police and intelligence-gathering agencies have stayed well within the law, and that any excesses have been few and far between. But though we can hope that no significant portion of the charges are true, we cannot afford to assume that this is the case. After all, these are charges far more crucial to the preservation of our freedom than the customary complaints about malfeasance in some ordinary bureaucracy. The charges involve the first steps toward something Americans of all philosophical views have resolved should never emerge in this land -- the beginnings of a secret police.

So this is not a casual matter that can be safely swept under the rug. If these charges should prove true, then it is urgent that we learn in time. If they should prove to be false, then the investigation will serve the purpose of redeeming the reputation of prestigious agencies which find their honor in upholding the law.

As we approach our 200th birthday, let us jealously safeguard our fortunate status as a free people. Freedom comes so hard and to so few, its preservation is the first responsibility of our government, and since it is upon the law that freedom must rely, it is the duty of a watchful government to certify to the people, periodically, that the keepers of the law are themselves obeying it. The issue before the committee is not merely whether the people need the shield of stronger law, but whether the Federal police and intelligence agencies have -- as repeatedly charged -- been lawless.

Forty-five years ago, -- shortly after the birth of the Federal Bureau of Investigation and two decades before there would be something called a Central Intelligence Agency -- Justice Louis Brandeis wrote

what could be the watchwords of the investigation about to begin:

"Decency, security and liberty alike," he said, "demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher, for good or ill, it teaches the whole people by its example."

We have entered the final decade on the way to 1984. ~~Weary~~ of scandal or not, we must never become weary of being vigilant. We dare not shirk from another redemptive investigation. Learning where we stand can spell the difference between arriving nine years hence at the doorstep of the Orwellian nightmare or awakening with sublime relief in the knowledge that we have, through prescience today, confounded that dark dream of tomorrow.